In the High Court of Punjab and Haryana, at Chandigarh.

R.S.A. No. 971 of 2007

Date of Decision: 13.11.2007

Nathu Ram.

…Appellant

Versus

Haryana State and Another.

…Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BINDAL

Present: Mr. J.P.Sharma, Advocate
for the appellant.

RAJESH BINDAL, J.

The plaintiff is in second appeal before this Court against the concurrent findings of fact recorded by both the Courts below, whereby the suit filed by him for permanent injunction restraining the respondents/defendants from recovery of a sum of Rs. 11,937.50 ps. on account of misappropriation of bricks handed over to him for use in the village, was dismissed.

Both the Courts below concurrently found that the appellant/plaintiff has not been able to account for 9550 bricks out of total bricks handed over to him for use in the village, being a Surpanch.

Keeping in view the frivolous case filed by the appellant/plaintiff, learned trial Court even imposed special costs of Rs. 2,000/- on him. The findings of learned trial Court were upheld by learned lower Appellate Court. Neither there is any material on record to hold that the findings recorded by learned Courts below were perverse nor this Court would like to interfere in the dispute when the amount involved is petty.

Accordingly, the appeal is dismissed.

(Rajesh Bindal)
Judge

November 13, 2007
"DK"